

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

IN THE MATTER OF THE TAX)	
INDEBTEDNESS OF)	
)	NO. 5:10MC5
36TH STREET BAKERY CAFE, INC.)	
<hr/>)	

**ORDER FOR ENTRY ON PREMISES TO SEIZE,
TO INVENTORY PROPERTY, AND TO CONDUCT
DISTRAINT SALE OF SEIZED PROPERTY**

Upon the application of Revenue Officer Thomas Klauer of the Internal Revenue Service through his attorney, Edward R. Ryan, United States Attorney for the Western District of North Carolina, for an order requesting authorization for Thomas Klauer and/or other designated employees of the Internal Revenue Service to enter the premises owned by owned by 36th Street Bakery Cafe, Inc., and occupied by 36th Street Bakery Cafe, Inc., at 3141 Laboratory Rd., Lincolnton, North Carolina 28092, in order to seize and inventory property and to conduct a distraint sale of the seized property on said premises in satisfaction of unpaid federal tax, together with his affidavit in support of that application, and the Court finding on the basis of the affidavit that there is probable cause to believe that property or rights to property belonging to 36th Street Bakery Cafe, Inc., which are subject to levy, including seizure and sale, by the United States, pursuant to I.R.C. §§ 6331 and 6335, are located on or within the premises described, and this Court having jurisdiction pursuant to 26 U.S.C. § 7402(a);

IT IS ORDERED AND DECREED that Thomas Klauer and/or other designated employees of the Internal Revenue Service are authorized to enter the premises described for the purposes of searching for, seizing, and inventorying the property of 36th Street Bakery Cafe, Inc., as set forth in the affidavit or authorized by 26 U.S.C. § 6331, and to re-enter the premises

described as is reasonably necessary for the accomplishment of said purposes, as well as for the further purpose of conducting a distraint sale of seized property, pursuant to I.R.C. §§ 6331 and 6335. In making such searches, seizures, or inventories of property and in conducting such distraint sale or sales as may be reasonably required pursuant to this order, such revenue officers are directed to enter the described premises during normal business hours.

Signed: April 16, 2010

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

